

Notice of Allowability

Application No.

10/799,914

Examiner

James A. Reagan

Applicant(s)

WETZER ET AL.

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment and RCE filed on 26 January 2006.
2. ☒ The allowed claim(s) is/are 1,2,5-20 and 23-47.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Status of Claims

1. This action is in response to.
2. Claims 1, 5-13, 15, 18, 19, 23, 25-29, and 32 have been amended.
3. Claims 36-47 have been added.
4. Claims 1, 2, 5-20, and 23-47 have been examined.

Allowable Subject Matter

5. Claims 1, 2, 5-20, and 23-47 are allowed. See Reasons for Allowance under separate heading.

Drawings

6. The drawings received on 26 January 2006 are accepted.

Information Disclosure Statement

7. The Information Disclosure Statements have been considered. Initialed copies of the Form 1449 are enclosed herewith.

Reasons For Allowance

8. The following is an Examiner's statement of reasons for allowance:

None of the art of record, taken individually or combination, disclose at least the method step of:

- *determining configuration maintenance requirements for maintaining a target configuration of an item of equipment;*
- *including establishing the target configuration of the item of equipment based on a design objective of the item of equipment, wherein the design objective includes safety, reliability, and performance, or a combination thereof;*
- *evaluating an actual configuration of the item of equipment;*
- *determining if the actual configuration complies with the target configuration;*
- *including planning an upgrade requirement for upgrading the actual configuration to the target configuration if the actual configuration is noncompliant*
- *coordinating the upgrade requirement and the predictive maintenance requirement into a combined maintenance schedule for both the upgrade requirement and the predictive maintenance requirement.*

More specifically, the prior art of record fails to disclose comparing a target configuration of an item with the actual configuration of a system to determine an upgrade plan for that system.

Independent claims 1 and 19 are distinguished over the closest prior art of Kroenke (Database Processing 1999), which teaches database processing in Chapter 1, pages 3-23, as well as file processing, instantiation of records, organizational context, and modeling of relational databases. As recited in independent claims 1 and 19, it is clear that the Applicant's invention is distinguished over the Kroenke invention in at least the method step of comparing actual and target configurations, and then formulating an upgrade plan to achieve compliance with then target configuration.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
 - Cornett et al. (US 5,216,612 A) discloses database implementation in column 25 line 26, where he describes using a database file structure to store part numbers, description status, and other noteworthy segments of information regarding computerized maintenance systems. See also the Figures 12a-22.

Art Unit: 3621

Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **James A. Reagan** whose telephone number is **571.272.6710**. The Examiner can normally be reached on 8:00a - 5:00p M-F. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **James Trammell** can be reached at **571.272.6712**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair> . Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

571-273-8300 [Official communications, After Final communications labeled "Box AF"]

571-273-8300 [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to the **United States Patent and Trademark Office Customer Service Window:**

Randolph Building

401 Dulany Street

Alexandria, VA 22314.

JAMES A. REAGAN

Primary Examiner

Art Unit 3621

12 April 2006

**JAMES A. REAGAN
PRIMARY EXAMINER**

